

**RECORDS RETENTION AND DISPOSITION SCHEDULE
SPECIFIC SCHEDULE NO. 501-003-A2008
DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY**

The schedule on the attached page(s) is approved with agreement to follow the records retention and disposition policies listed below:

AGENCY APPROVAL

AGENCY HEAD OR DEPUTY

Gregory A. Whaley

AGENCY RECORDS OFFICER

John Breakey, CRM

STATE APPROVAL

STATE RECORDS ADMINISTRATOR

Conley A. Edwards

COMPTROLLER OR DEPUTY

EFFECTIVE SCHEDULE DATE **OCT 16 2008**

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POLICIES FOR RECORDS RETENTION AND DISPOSITION

1. This schedule is continuing authority under the provisions of the Virginia Public Records Act, §§ 42.1-76, et seq. of the *Code of Virginia* for the retention and disposition of the records as stated on the attached page(s).
2. This schedule supersedes previously approved applicable schedules.
3. This schedule is used in conjunction with the *Certificate of Records Disposal* (Form RM-3). A signed RM-3 must be approved by the designated records officer and on file in the agency or locality before records can be destroyed. After the records are destroyed, the original signed RM-3 must be sent to Library of Virginia (LVA).
4. Any records created prior to 1913 must be offered, in writing, to the LVA before applying these disposition instructions. Offered records can be destroyed 60 days after date of the offer if no response is received from the LVA. A copy of the offer must be attached to the RM-3 form when it is submitted to the LVA.
5. All known audits and audit discrepancies regarding the listed records must be settled before the records can be destroyed.
6. All known investigations or court cases involving the listed records must be resolved before the records can be destroyed. Knowledge of subpoenas, investigations or litigation that reasonably may involve the listed records suspends any disposal or reformatting processes until all issues are resolved.
7. The retentions and dispositions listed on the attached page(s) apply regardless of physical format, i.e., paper, microfilm, electronic storage, optical imaging, etc. Unless prohibited by law, records may be reformatted at agency or locality discretion. Microfilming must be done in accordance with §§ 17VAC15-20-10, et seq. of the *Virginia Administrative Code*, "Standards for the Microfilming of Public Records for Archival Retention." All records must be accessible throughout their retention period in analog or digital format. Whether the required preservation is through prolongation of appropriate hardware and/or software, reformatting or migration, it is the obligation of the agency or locality to do so.
8. Custodians of records must insure that information in confidential or privacy protected records is protected from unauthorized disclosure through the ultimate destruction of the information. Normally, destruction of confidential or privacy-protected records will be done by shredding or pulping. "Deletion" of confidential or privacy-protected information in computer files or other electronic storage media is not acceptable. Electronic records must be "wiped" clean or the storage media physically destroyed.
9. Under the *Virginia Public Records Act*, (§ 42.1-79) the Library of Virginia is the official custodian and trustee of all state agency records transferred to the Archives, Library of Virginia. The Library may purge select records in accordance with professional archival practices in order to ensure efficient access.
10. Unless otherwise directed, files are closed out at the end of each calendar or fiscal year as appropriate. Retention periods start at that time.

**LIBRARY OF VIRGINIA**ARCHIVAL AND RECORDS MANAGEMENT SERVICES DIVISION
(Form RM-2 July 2008)**RECORDS RETENTION AND DISPOSITION SCHEDULE
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RECORDS SERIES AND DESCRIPTION	SERIES NUMBER	SCHEDULED RETENTION AND DISPOSITION
<u>General Right-of-Way and Parcel Files (Districts)</u> This series documents the acquisition of property from landowners from the negotiation phase through relocation (if applicable). Includes, but is not limited to: general correspondence, legal documents conveying property, a "Certificate of Title (indefeasible title) and all records of contact with a landowner to purchase property. This series refers to the copy maintained by the District Offices.	001174	Retain District Copy for 5 years after "Certificate of Title" (indefeasible title) to parcel is obtained then destroy by shredding.
<u>Project File: Utility (Districts)</u> This series documents the Utility Section of Right-of-Way involvement with a utility company to complete a project. Includes, but is not limited to: correspondence, approval plans, easements, inspections and billing material.	001202	Retain 5 years after final payment then destroy.